

**MINUTES**

**MONTANA HOUSE OF REPRESENTATIVES  
61st LEGISLATURE - REGULAR SESSION**

**JOINT APPROPRIATIONS SUBCOMMITTEE ON LONG-RANGE PLANNING**

**Call to Order:** Chairman Dave Kasten, on March 18, 2009 at 8:06  
A.M., in Room 102 Capitol

**ROLL CALL**

**Members Present:**

Rep. Dave Kasten, Chairman (R)  
Sen. Gregory D. Barkus, Vice Chairman (R)  
Sen. John Brueggeman (R)  
Sen. Mike Cooney (D)  
Rep. Dennis Getz (D)  
Rep. Walter McNutt (R)  
Rep. Jon C. Sesso (D)

**Members Excused:** None

**Members Absent:** Sen. Carol Williams (D)

**Staff Present:** Catherine Duncan, Legislative Branch  
Tyrrell Hibbard, Committee Secretary  
Christine Hultin-Brus, OBPP

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: None

Executive Action: HB 10, HB 6, HB 7, HB 11, HB 5,  
HB 467

00:00:05 Chairman Kasten

**EXECUTIVE ACTION ON HB 10**

00:00:49 **Motion/Vote:** Chairman Kasten moved **TO REOPEN HB 10**.  
Motion carried unanimously by voice vote.

00:01:06 Ms. Duncan, Legislative Fiscal Division  
**EXHIBIT (j1h60a01)**

00:03:49 **Motion/Vote:** Chairman Kasten moved **TO REMOVE AMENDMENT**  
(refer to exhibit 1). Motion carried unanimously by  
voice vote.

00:04:31 **Motion:** Sen. Cooney moved **TO SEGREGATE AMENDMENT # 4**  
**AND TO ADOPT AMENDMENTS 1, 2, AND 3** (refer to Exhibit  
1).

00:05:03 Chairman Kasten

00:05:07 **Vote:** Motion carried 6-2 by voice vote with Sen.  
Barkus and Chairman Kasten voting no.

00:05:25 Sen. Williams arrived.

00:05:32 Chairman Kasten

00:05:35 Rep. Sesso

00:06:02 Chairman Kasten

00:06:34 Rep. Sesso

00:06:44 Chairman Kasten

00:06:47 **Motion/Vote:** Sen. Cooney moved that **HB 10 DO PASS AS**  
**AMENDED**. Motion carried 7-2 by voice vote with Sen.  
Barkus and Chairman Kasten voting no.

**EXECUTIVE ACTION ON HB 6**

(Note for the record: HB 6 has been amended and is already open  
from prior committee meeting.)

00:09:18 Chairman Kasten

00:09:43 Bob Fischer, Project Manager, Conservation and Resource  
Development Division (CARDD), Department of Natural  
Resources and Conservation (DNRC)

00:10:36 Chairman Kasten

00:11:15 Rep. Sesso

00:12:18 Chairman Kasten

00:12:55 Pam Smith, Renewable Resource Grant Loan Program,  
CARDD, DNRC  
00:13:41 Chairman Kasten  
00:13:49 Rep. Sesso  
00:14:35 Ms. Smith  
00:14:58 Rep. Sesso  
00:15:01 Chairman Kasten  
  
00:16:04 **Motion:** Sen. Brueggeman moved that the committee **PASS  
A CONCEPTUAL AMENDMENT** to fund the remaining HB 6  
project list contingent on a budget transfer in HB 645  
from the orphan share account.

**Discussion:**

00:17:46 Chairman Kasten  
00:17:56 Ms. Duncan  
00:19:01 Chairman Kasten  
00:19:16 Ms. Duncan  
00:19:26 Chairman Kasten  
00:19:33 Ms. Smith  
00:20:51 Chairman Kasten  
00:21:03 Sen. Brueggeman  
00:21:07 Amy Carlson, Governor's Budget Office  
00:21:52 Sen. Brueggeman  
00:22:28 Ms. Carlson  
00:22:35 Tom Livers, Deputy Director, Department of  
Environmental Quality (DEQ)  
00:24:03 Chairman Kasten  
00:24:06 Sen. Cooney  
00:24:36 Mr. Livers  
00:24:39 Sen. Cooney  
00:24:41 Mr. Livers  
00:25:02 Sen. Williams  
00:25:20 Sen. Brueggeman  
00:25:26 Sen. Williams  
00:25:27 Sen. Brueggeman  
00:26:28 Sen. Williams  
00:27:14 Chairman Kasten  
00:27:29 Ms. Duncan  
00:27:41 Chairman Kasten  
00:27:44 Rep. Sesso  
00:28:01 Ms. Duncan  
00:28:28 Chairman Kasten  
00:28:34 Rep. Sesso  
00:28:58 Chairman Kasten  
00:29:03 Richard Opper, Director, DEQ  
00:29:51 Rep. Sesso  
00:29:53 Chairman Kasten  
00:30:21 Sen. Barkus

00:30:34 Mr. Opper  
00:31:25 Sen. Barkus  
00:31:33 Mr. Opper  
00:31:37 Sen. Barkus  
00:32:18 Mr. Opper  
00:32:30 Sen. Barkus  
00:33:19 Mr. Opper  
00:34:15 Sen. Barkus  
00:34:21 Chairman Kasten  
00:34:38 Rep. Getz  
00:35:13 Sen. Brueggeman  
00:35:56 Chairman Kasten  
00:36:06 Mr. Opper  
00:37:10 Chairman Kasten  
00:37:43 Sen. Brueggeman withdrew his motion.  
00:37:57 Chairman Kasten  
00:38:03 Rep. Sesso  
00:41:51 Chairman Kasten  
00:43:01 Rep. Sesso  
00:43:37 Chairman Kasten  
00:44:19 Sen. Barkus  
00:45:28 Chairman Kasten  
00:46:17 Ms. Duncan  
00:46:52 Sen. Brueggeman  
00:48:54 Chairman Kasten  
  
00:49:11 **Motion:** Sen. Brueggeman moved **TO FUND THE REST OF THE PROJECTS ON THE HB 6 LIST.**  
  
00:49:22 Ms. Duncan  
00:49:47 Chairman Kasten  
00:49:52 Rep. Sesso  
00:53:33 Chairman Kasten  
00:53:42 Sen. Cooney  
00:54:40 Rep. McNutt  
00:55:53 Chairman Kasten  
00:56:11 Sen. Brueggeman  
00:56:34 Chairman Kasten  
00:56:47 Rep. Sesso  
00:57:31 Sen. Brueggeman  
00:57:44 Rep. Sesso  
00:57:51 Sen. Brueggeman  
00:58:03 Chairman Kasten  
00:58:38 Rep. Sesso  
01:00:06 Chairman Kasten  
01:00:24 Rep. Sesso  
01:00:27 Sen. Cooney  
01:00:56 Ms. Duncan  
01:01:26 Rep. Sesso  
01:01:58 Ms. Duncan

01:02:08 Rep. Sesso  
01:02:11 Chairman Kasten  
  
01:02:14 **Vote:** Motion carried unanimously by voice vote with  
Sen. Barkus voting by proxy.  
  
01:02:29 **Motion/Vote:** Sen. Cooney moved that **HB 6 DO PASS AS  
AMENDED.** Motion carried unanimously by voice vote with  
Sen. Barkus voting by proxy.

**EXECUTIVE ACTION ON HB 7**

01:02:56 Chairman Kasten  
01:02:59 Ms. Duncan  
01:03:20 Rep. Sesso  
01:03:41 Ms. Duncan  
01:03:59 Rep. Sesso  
01:04:10 Ms. Duncan  
01:05:13 Chairman Kasten  
01:05:16 Ms. Duncan  
01:06:40 Chairman Kasten  
01:06:44 Ms. Duncan  
01:06:47 Chairman Kasten  
01:06:55 Ms. Duncan  
01:07:02 Sen. Cooney  
01:07:13 Ms. Duncan  
  
01:07:30 **Motion:** Sen. Brueggeman moved that the subcommittee  
**ALLOWS STAFF TO DRAW UP COORDINATION LANGUAGE FOR THE  
RELIANCE PROJECT ON PAGE 2, LINES 8 AND 9.**  
  
01:07:53 Sen. Brueggeman  
01:08:10 Chairman Kasten  
  
01:08:13 **Vote:** Motion carried unanimously by voice vote.  
  
01:08:34 Rep. Sesso  
**EXHIBIT (j1h60a02)**  
01:10:42 Sen. Cooney  
01:11:02 Sen. Brueggeman  
01:11:30 Sen. Cooney  
01:11:40 Rep. Sesso  
01:11:43 Sen. Cooney  
01:12:25 Chairman Kasten  
01:12:28 Rep. Sesso  
01:13:32 Sen. Cooney  
01:13:41 Rep. Sesso  
01:13:54 Chairman Kasten

01:14:16 **Motion:** Sen. Brueggeman moved **TO ADOPT A CONCEPTUAL AMENDMENT THAT WOULD FUND THE REST OF THE PROJECTS, 22 THROUGH 25, IN HB 7.**

01:14:41 Chairman Kasten

01:14:47 Sen. Brueggeman

01:14:57 Chairman Kasten

01:15:29 Sen. Brueggeman

01:15:33 Chairman Kasten

01:16:00 Ms. Duncan

01:16:48 Sen. Brueggeman

01:17:00 Chairman Kasten

01:17:15 **Vote:** Motion carried unanimously by voice vote.

01:17:30 **Motion/Vote:** Rep. McNutt moved **TO CLOSE HB 7.** Motion carried unanimously by voice vote. Sen. Barkus voted by proxy.

#### **EXECUTIVE ACTION ON HB 11**

01:17:47 Chairman Kasten

01:17:51 Rep. Sesso

01:19:12 Sen. Cooney

01:19:47 Rep. Sesso

01:21:27 Chairman Kasten

01:21:32 Rep. Sesso

01:21:38 Sen. Cooney

01:21:40 Chairman Kasten

01:21:43 Sen. Cooney

01:21:46 Chairman Kasten

01:21:49 Sen. Cooney

01:21:52 Rep. Sesso

01:23:38 Chairman Kasten

01:23:46 Rep. Sesso

01:23:55 Ms. Hultin-Brus, OBPP

01:24:02 Rep. Sesso

01:24:34 Chairman Kasten

01:24:38 Sen. Brueggeman

01:26:22 Chairman Kasten

01:27:01 Rep. Getz

01:27:12 Rep. McNutt

01:27:50 Chairman Kasten

01:28:10 Jim Edgcomb, Manager, Treasure State Endowment Program

01:29:25 Chairman Kasten

01:29:41 Mr. Edgcomb

01:30:20 Chairman Kasten

01:30:23 Rep. Sesso

01:32:40 Chairman Kasten  
01:33:05 Rep. Sesso  
01:33:32 Chairman Kasten

01:33:40 **Motion:** Sen. Brueggeman moved **TO ADD LANGUAGE SIMILAR TO THAT IN HB 512 TO ALLOW ALL PROJECTS TO BE FUNDED.**

01:34:38 Ms. Duncan  
01:35:05 Sen. Brueggeman  
01:35:59 Chairman Kasten  
01:36:02 Ms. Carlson  
01:36:30 Sen. Brueggeman  
01:36:57 Chairman Kasten  
01:37:04 Sen. Williams called the question.

01:37:13 **Vote:** Motion carried unanimously by voice vote.

01:37:23 Chairman Kasten  
01:37:38 Ms. Duncan  
01:38:30 Chairman Kasten

01:38:35 **Motion/Vote:** Sen. Brueggeman moved **TO ADD COORDINATION LANGUAGE.** Motion carried unanimously by voice vote.

01:38:50 Ms. Duncan

01:39:58 **Motion/Vote:** Sen. Brueggeman moved **TO CHANGE THE STIMULUS APPROPRIATION FROM 16 MILLION TO 15 MILLION.** Motion carried unanimously by voice vote.

01:40:13 **Motion/Vote:** Sen. Cooney moved **TO CLOSE HB 11 AS AMENDED.** Motion carried unanimously by voice vote. Sen. Barkus voted by proxy.

**EXECUTIVE ACTION ON HB 5**

01:40:41 Chairman Kasten  
01:41:09 Ms. Duncan  
01:41:53 Chairman Kasten  
01:42:07 Sen. Cooney  
01:42:58 Chairman Kasten  
01:43:10 Sen. Williams

**EXHIBIT (j1h60a03)**

01:43:16 **Motion:** Sen. Williams moved that **AMENDMENT HB000511.acd DO PASS** (refer to Exhibit 3).

**Discussion:**

01:44:31 Chairman Kasten  
01:44:53 Ms. Duncan  
01:44:55 Chairman Kasten  
01:45:18 Ms. Carlson  
01:45:27 Sen. Williams  
01:45:32 Ms. Carlson  
01:45:58 Chairman Kasten  
01:46:09 Ms. Carlson  
01:46:27 Mick Robinson, Montana University System  
01:46:45 Ms. Carlson  
01:46:52 Chairman Kasten  
01:47:17 Mr. Robinson  
01:47:25 Chairman Kasten  
01:47:44 Mr. Robinson  
01:48:20 Chairman Kasten  
  
01:48:33 **Vote:** Motion carried unanimously by voice vote. Sen. Barkus voted by proxy.  
  
01:49:00 Ms. Duncan  
01:49:16 Chairman Kasten  
  
01:49:26 **Motion:** Rep. Getz moved that **AMENDMENT HB000507.acd DO PASS** (refer to Exhibit 3).

**Discussion:**

01:51:19 Chairman Kasten  
01:51:23 Ms. Duncan  
**EXHIBIT (j1h60a04)**  
01:52:11 Chairman Kasten  
01:53:14 Mr. Robinson  
01:53:38 Chairman Kasten  
01:53:43 Rep. Sesso  
01:54:12 Rep. Robert Mehlhoff, HD 26, Great Falls  
01:54:58 Chairman Kasten  
01:55:18 Joe Triem, Architecture and Engineering Division,  
Department of Administration  
01:55:36 Chairman Kasten  
01:55:40 Mr. Robinson  
01:56:19 Chairman Kasten  
01:56:31 Ms. Duncan  
01:56:42 Sen. Brueggeman  
01:57:21 Chairman Kasten

01:58:13 **Vote:** Motion failed 3-5 by roll call vote with Rep. Getz, Rep. Sesso, and Sen. Williams voting aye. Sen. Barkus voted by proxy.

01:58:23 Chairman Kasten

01:58:37 **Motion/Vote:** Sen. Williams moved that **HB 5 DO PASS AS AMENDED**. Motion carried unanimously by voice vote.

01:58:56 Sen. Brueggeman

01:59:07 Chairman Kasten

01:59:10 Rep. Sesso

01:59:23 Chairman Kasten

01:59:28 Ms. Duncan

01:59:33 Rep. Sesso

01:59:38 Chairman Kasten

01:59:51 Recessed at 10:06 a.m.

02:00:02 Reconvened at 4:53 p.m. (Timestamp readjusted to match audio file.)

02:00:34 Chairman Kasten

02:01:22 Ms. Duncan

**EXHIBIT (j1h60a05)**

02:03:13 Chairman Kasten

**EXECUTIVE ACTION ON HB 467**

02:03:35 Ms. Duncan

02:03:44 Sen. Williams

02:03:48 **Motion:** Chairman Kasten moved that **HB 467 DO PASS**.

02:04:22 Chairman Kasten

02:04:25 Ms. Duncan

02:04:27 Chairman Kasten

02:04:31 Ms. Duncan

**EXHIBIT (j1h60a06)**

02:05:28 Chairman Kasten

02:05:32 **Motion/Vote:** Sen. Williams moved **TO ADOPT AMENDMENT HB046701.agp** (refer to Exhibit 6). Motion carried unanimously by voice vote.

02:06:02 Chairman Kasten

02:06:16 Ms. Duncan

02:06:48 Chairman Kasten

02:07:09 **Motion:** Sen. Cooney moved **TO ADOPT AMENDMENT HB046704.acd** (refer to Exhibit 6).

**Discussion:**

02:07:55 Sen. Cooney  
02:08:27 Chairman Kasten  
02:08:43 Sen. Cooney  
02:09:04 Chairman Kasten  
02:09:07 Sen. Barkus  
02:09:37 Chairman Kasten  
02:09:41 Rep. Getz  
02:09:52 Sen. Cooney  
02:10:43 Chairman Kasten  
02:11:30 Joe Triem  
02:12:59 Chairman Kasten  
02:13:05 Rep. Sesso  
02:13:55 Sen. Cooney  
02:14:54 Rep. Sesso  
02:15:05 Sen. Cooney  
02:15:16 Chairman Kasten  
02:15:20 Sen. Barkus  
02:15:39 Sen. Cooney  
02:16:21 Chairman Kasten  
02:16:25 Rep. Sesso  
02:17:47 Chairman Kasten  
02:18:11 Sen. Cooney  
02:18:40 Chairman Kasten  
02:19:30 Sen. Brueggeman  
02:21:11 Chairman Kasten

02:21:25 **Vote:** Motion failed 2-6 by roll call vote with Sen. Cooney and Sen. Williams voting aye.

02:22:02 Chairman Kasten  
02:22:06 Ms. Duncan  
02:22:32 Chairman Kasten  
02:22:47 Sen. Cooney  
02:22:56 Sen. Brueggeman  
02:23:07 Chairman Kasten  
02:23:28 Sen. Williams  
02:23:54 Rep. Sesso  
02:24:10 Chairman Kasten

02:24:40 **Motion:** Rep. Getz moved that **AMENDMENT HB046703.acd DO PASS** (refer to Exhibit 6).

02:25:17 Chairman Kasten  
02:25:43 Rep. Sesso

02:26:04 Chairman Kasten  
02:26:07 Sen. Barkus  
02:26:41 Chairman Kasten  
  
02:26:50 **Vote:** Motion carried 6-2 by roll call vote with Sen. Barkus and Chairman Kasten voting no.  
  
02:27:40 Chairman Kasten  
  
02:27:58 **Motion:** Sen. Brueggeman moved that **AMENDMENT HB046702.acd DO PASS** (refer to Exhibit 6).

**Discussion:**

02:29:20 Chairman Kasten  
02:29:23 Rep. Sesso  
02:29:42 Ms. Duncan  
02:29:57 Tom O'Connell, State Architect  
02:30:23 Chairman Kasten  
02:30:29 Mr. O'Connell  
02:31:02 Chairman Kasten  
02:31:06 Sen. Barkus  
02:31:37 Chairman Kasten  
  
02:31:41 **Vote:** Motion carried 5-3 by roll call vote with Sen. Barkus, Rep. McNutt, and Chairman Kasten voting no.  
  
02:32:24 Ms. Duncan  
02:33:32 Chairman Kasten  
02:33:45 Sen. Cooney  
02:34:09 Rep. Sesso  
02:34:17 Chairman Kasten  
02:34:24 Rep. Sesso  
02:38:01 Chairman Kasten  
02:38:43 Rep. Sesso  
02:39:15 Chairman Kasten  
02:39:47 Ms. Hultin-Brus  
02:40:13 Chairman Kasten  
02:40:27 Sen. Williams  
02:42:34 Chairman Kasten  
02:42:47 Sen. Brueggeman  
02:45:09 Sen. Barkus  
02:45:46 Rep. Sesso  
02:46:27 Chairman Kasten  
02:46:44 Rep. McNutt  
02:46:50 Chairman Kasten

02:48:39 **Motion/Vote:** Sen. Brueggeman moved that **HB 467 DO PASS AS AMENDED**. Motion carried 7-1 by roll call vote with Sen. Barkus voting no.

02:49:05 Chairman Kasten

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**DISCUSSION ON HB 645**

02:50:01 Rep. Sesso

02:57:28 Chairman Kasten

02:59:19 Rep. Sesso

03:02:57 Chairman Kasten

03:02:58 Ms. Duncan

**EXHIBIT (j1h60a07)**

03:03:45 Sen. Williams left hearing.

03:06:22 Chairman Kasten

03:08:11 Ms. Duncan

03:08:38 Rep. Sesso

03:09:01 Sen. Williams returned.

03:11:40 Chairman Kasten

03:11:44 Sen. Barkus

03:12:51 Rep. Sesso

03:12:54 Sen. Barkus

03:13:15 Chairman Kasten

03:13:20 Rep. Getz

03:13:43 Sen. Brueggeman

03:15:52 Chairman Kasten

**ADJOURNMENT**

03:16:13 Adjournment: 6:09 P.M.

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Tyrrell Hibbard, Secretary

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**Additional Exhibits**

Additional Documents:

**[EXHIBIT \(j1h60aad.pdf\)](#)**